

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>BRIAN MILLER; HECTOR CALDERON;</b>	:	
<b>CHARLES FOLWELL; ROLLAND GREEN;</b>	:	
<b>DAWN M. HAUCK; KEVIN KEIR;</b>	:	
<b>ASHBY LINCOLN; KAREN MASINO;</b>	:	
<b>ROBERT W. PETERSON; SUSAN M. POKOISKI;</b>	:	
<b>DAN P. ROLLINS; and WILLIAM SPERATI,</b>	:	<b>C.A. No. 05-010-JJF</b>
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>COMPUTER SCIENCES CORPORATION,</b>	:	
<b>a Delaware Corporation,</b>	:	
	:	
<b>Defendant.</b>	:	

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**APPENDIX TO PLAINTIFF'S ANSWERING BRIEF IN OPPOSITION TO  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

**3 of 3**

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Dated: June 8, 2006

Timothy J. Wilson, Esquire (DE #4323)  
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Attorney for Plaintiffs

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BRIAN MILLER, HECTOR CALDERON, )  
CHARLES FOLWELL, DAWN M. )  
HAUCK, KEVIN KEIR, ASHBY )  
LINCOLN, KAREN MASINO, ROBERT )  
W. PETERSON, SUSAN M. POKOISKI, )  
DAN P. ROLLINS, and WILLIAM )  
SPERATI, )

Plaintiffs, )

v. )

C.A. No. 05-10-JJF )

COMPUTER SCIENCES CORPORATION, )

Defendant. )

Deposition of DAWN M. HAUCK taken pursuant to notice at the law offices of Potter Anderson & Corroon, Hercules Plaza, 6th Floor, Wilmington, Delaware, beginning at 11:30 a.m., on Thursday, March 2, 2006, before Kimberly A. Hurley, Registered Merit Reporter and Notary Public.

APPEARANCES:

TIMOTHY J. WILSON, ESQUIRE  
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for the Plaintiffs

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B-0889



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B-0890

1 DAWN M. HAUCK,  
2 the witness herein, having first been  
3 duly sworn on oath, was examined and  
4 testified as follows:

5 BY MR. SEEGULL:

6 Q. Ms. Hauck, my name is Larry Seegull, as you  
7 know. I'm an attorney representing Computer Sciences  
8 Corporation in connection with your lawsuit.

9 Have you ever been deposed before?

10 A. I have been deposed for insurance-related  
11 measures, but nothing of this fashion.

12 Q. Tell me about the cases that you have been  
13 deposed in.

14 A. It was a vehicle accident.

15 Q. Were you the victim or were you in the accident  
16 for some other reason or were you deposed as a witness?

17 A. I was one of the drivers and my car was hit  
18 broadside. So I was deposed by other parties' insurance  
19 companies to get down what happened in the accident.

20 Q. So you were suing?

21 A. No. My insurance company just was going to  
22 them for payment of repair of the vehicle. There were no  
23 personal injuries. And so the other insurance company  
24 requested my version of what happened in the accident



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B-0891

1 because the police officer did not issue any tickets,  
2 would not issue any fault of any sort on either party.

3 Q. How was that case resolved?

4 A. I never heard. I never received my deductible  
5 back, so I'm assuming it was either a wash -- I have no  
6 idea how it was resolved.

7 Q. Let me just give you some instructions for  
8 today's deposition. I'll, obviously, be asking you  
9 questions about the facts forming the basis for your  
10 claims, and obviously all of your answers have to be  
11 verbal because the court reporter can't take down head  
12 nods or other body language. You are under oath, so you  
13 must answer the questions truthfully and completely just  
14 as if you are testifying in court.

15 If you do not hear a question, say so and I  
16 will repeat it. If at any point in time you realize that  
17 an earlier answer you gave was incomplete or inaccurate  
18 in any way, just say so and you will be allowed to  
19 correct or supplement the record.

20 Of course, if you need to stop to use the  
21 restroom, need to take a break for any reason, just say  
22 so and you will be allowed to do so.

23 You cannot talk to your attorney during the  
24 deposition unless it relates to a question of privilege;



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1 that is, unless it relates to a question of your  
2 communications with your attorney. I will try not to ask  
3 you about your communications with your attorney since  
4 they are privileged.

5 If you answer the question, I will assume  
6 that you have heard it and understood it and have given  
7 me your best recollection.

8 Do you understand the instructions that I  
9 have just given you?

10 A. Yes.

11 Q. Are you taking any medication today that could  
12 impair your ability to testify?

13 A. No.

14 Q. What did you do to prepare for this deposition?

15 A. I met with my attorney.

16 Q. When was that?

17 A. Monday.

18 Q. Did you do anything else?

19 A. I reviewed the interrogatories that you had  
20 sent and I reviewed the complaint.

21 Q. Did you review any documents?

22 A. Documents that were provided with the  
23 interrogatories.

24 Q. Do you remember which documents you reviewed?



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B-0893

1 A. I reviewed what was provided to my attorney  
2 which would have been AMIP management guides, pay stubs,  
3 and program-related communications.

4 Q. So the AMIP program-related communications, are  
5 those policy statements that the company publishes on  
6 compensation for the Chemical Group?

7 A. Somewhere what I would call policy statement,  
8 the program, actual program guide. Other was, for  
9 example, this is what you will receive as a payout and  
10 how it was broken down for the financial objectives that  
11 were met for the course of the year.

12 Q. Is that a worksheet?

13 A. Yes.

14 Q. Is this the kind of thing that you're talking  
15 about?

16 A. Yes.

17 MR. SEEGULL: Let's have this marked as an  
18 exhibit.

19 (Deposition Exhibit No. 53 was marked for  
20 identification.)

21 BY MR. SEEGULL:

22 Q. I'm now showing you what's been marked  
23 Exhibit 53, and the title of the document is "Chemical  
24 Group Compensation Programs North America Employee's



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1 Guide April 1, 2001 - March 31, 2002," and it's Bates  
2 labeled D-10462 through D-10484.

3 You said this was one of the guides that  
4 you reviewed in preparation for the deposition?

5 A. Yes. The other was specifically the AMIP which  
6 is a subset of this.

7 Q. Let's only focus on Exhibit 53 for a moment.  
8 We're not going through the details of this, but  
9 Exhibit 53 was a document that you were provided by  
10 e-mail or it was on the intranet? Do you remember how  
11 they distributed it?

12 A. I was provided this guide when I was a managing  
13 supervisor for the Chemical Group.

14 Q. Just so you're clear, this is the employee's  
15 guide. There was also a version for managers?

16 A. Absolutely.

17 Q. The manager's guide was provided to you as a  
18 manager?

19 A. Yes.

20 Q. And the employee's guide was distributed to  
21 employees or available on the intranet?

22 A. It was available to employees. I personally  
23 never received an employee's guide as an employee. I  
24 received the manager's guide and the employee's guide



1 when I was a supervising manager.

2 Q. But how did you receive it?

3 A. I received it in a hard copy.

4 Q. Just distributed to you by interoffice mail?

5 A. I don't recall how it was distributed. I  
6 received it in a binder that said the title of what the  
7 documents were. They were tabbed as to where the  
8 documents were, whether it was the manager's guide or the  
9 employee's guide.

10 Q. That's how you received Exhibit 53, correct?

11 A. Correct.

12 (Deposition Exhibit No. 54 was marked for  
13 identification.)

14 BY MR. SEEGULL:

15 Q. I'm now showing you what's been marked as  
16 Exhibit 54. This is a document that's Bates numbered  
17 D-10370 through D-10386. This is another guide for  
18 employees. This is for the following fiscal year of  
19 April 1, 2002, through March 31, 2003. Correct?

20 A. That's correct.

21 Q. You would have also received this guide. Would  
22 you have received it by e-mail?

23 A. I don't recall receiving this guide.

24 Q. You know you received the guide for 2002?



1 A. I received the AMIP guide for '99 -- fiscal  
2 year '99, fiscal year 2000, and fiscal year 2001.

3 Q. An AMIP guide I guess is separate from these?

4 A. The AMIP guide is a subset of this compensation  
5 guide.

6 Q. Did you receive this overall compensation  
7 guide?

8 A. When I was a manager -- I was a manager in  
9 fiscal year '98, '99, and part of 2000. So I have  
10 management guides up through 2000, fiscal year 2000.

11 Q. Did you receive these compensation guides as an  
12 employee?

13 A. No.

14 Q. When you were no longer a manager?

15 A. No.

16 Q. Were they just available on the intranet, as  
17 far as you know?

18 A. They were available if I went to my supervisor  
19 because I was told if my employees came to me, they would  
20 be provided, that if I went to my supervisor requesting  
21 to see a compensation guide, I would have been provided  
22 these guides.

23 Q. So exhibits 53 and 54 were available to you if  
24 you had gone to your supervisor?



1 A. To the best of my knowledge.

2 Q. Or maybe if you had gone to Human Resources,  
3 they were available?

4 A. Correct. To the best of my knowledge, they  
5 would have provided them to me.

6 Q. These are documents that are kept and  
7 maintained by Human Resources and by management?

8 A. I believe so.

9 Q. And then you said there was also a separate  
10 AMIP guide that was a subset of these guides.

11 A. It wasn't the total encompassing guide. It was  
12 a smaller -- just around the AMIP program.

13 Q. It was just the section of AMIP that comes out  
14 of these guides?

15 A. It was approximately six pages in length.

16 Q. Tell me what page it would have started at and  
17 what page it finished at. There's a Bates number at the  
18 bottom of the page. Would it be starting at  
19 page D-10471, "Chemical Group Variable Compensation  
20 Programs"?

21 A. It would have started with D-10474 where it  
22 discusses the background of the CSC AMIP program,  
23 participant eligibility guidelines.

24 Q. Going through where?



1 A. It did not include premium skills because it  
2 was, again, specifically -- did not include PSPP. But it  
3 also then went into -- again, these were guidelines  
4 around the current-year program and the future-year  
5 program. So it also discussed how the program was broken  
6 out with the financial objectives.

7 Q. You're talking about the worksheet now?

8 A. No. I'm talking about the program guide.

9 Q. Is that a guide that you still have?

10 A. I have a hard copy of it, yes.

11 Q. You have the AMIP guide?

12 A. Yes, I do.

13 MR. SEEGULL: Tim, is that a document  
14 that's been produced to us?

15 MR. WILSON: I would imagine so, but I  
16 can't say for sure. If she's given it to us, I'm sure it  
17 has been.

18 MR. SEEGULL: I do not believe that we have  
19 a separate guide for AMIP.

20 BY MR. SEEGULL:

21 Q. Was it just one page?

22 A. Again, as I said, it was approximately maybe  
23 six pages. It went through the program itself, the  
24 background of the program. It went through how



1 eligibility is determined. It explained how every year  
2 the program was an annual program, it was reviewed at the  
3 beginning of each fiscal year each participant's  
4 eligibility.

5 Q. You still have a copy of that?

6 A. I have a copy of that, yes, I do.

7 Q. Do you have a copy of that with you?

8 MR. WILSON: Is this what you're talking  
9 about?

10 THE WITNESS: No.

11 BY MR. SEEGULL:

12 Q. Do you have a copy of that with you, Ms. Hauck?

13 A. No, I don't.

14 MR. SEEGULL: What was the Bates number of  
15 the thing you showed her?

16 MR. WILSON: There is no Bates number on  
17 this. I'll verify that this has been produced because it  
18 concerns me that there is no Bates number on this.

19 Q. Do you know what the date of this AMIP guide  
20 was?

21 A. Again, I received them in fiscal year '99,  
22 fiscal year 2000, and fiscal year 2001. They were very  
23 similar each year.

24 MR. SEEGULL: Tim, do you know what she's



1 referring to?

2 MR. WILSON: No.

3 Q. When was the last time you saw this guide,  
4 Ms. Hauck?

5 A. The last time it was provided to me or the last  
6 time I reviewed it?

7 Q. Last time you reviewed it.

8 A. I reviewed it on Monday after I met with my  
9 attorney in preparation for today.

10 Q. Did you review it in your attorney's office?

11 A. No.

12 MR. SEEGULL: I'm concerned, Tim, that we  
13 don't have that document. I'm willing to continue with  
14 this deposition, I think we should, but obviously I need  
15 to see what document that is and I may have to resume  
16 this deposition.

17 MR. WILSON: Understood.

18 Q. Would it be the same information that was  
19 contained on pages D-10474 and D-10382? Let's do one at  
20 a time.

21 A. 10471?

22 Q. 10474?

23 A. 10474, correct. This talked about the  
24 background of the AMIP and its eligibility guidelines.



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1 Q. Let me just do one thing at a time here. The  
2 AMIP guide that you're speaking of contains the same  
3 information that is contained on D-10474?

4 A. Yes, it does.

5 Q. Does it also contain the same information that  
6 is contained on D-10382?

7 A. Yes.

8 Q. Just so we're clear, the guide that you're  
9 speaking of is a prior-year's version of these guides?

10 A. Yes.

11 Q. So these would be the more updated guides to  
12 the extent that there are any distinctions or  
13 differences.

14 A. To the best of my knowledge.

15 Q. And these were provided annually you're saying?

16 A. I received them annually.

17 Q. The separate AMIP guide you no longer received  
18 after '99?

19 A. I received three guides: one for fiscal year  
20 '99, fiscal year 2000, and fiscal year 2001.

21 Q. When would you have received these guides?

22 A. I don't recall.

23 Q. You don't recall when in the course of a year?

24 A. No.



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1 Q. But you did not receive it after fiscal year  
2 2001?

3 A. To the best of my knowledge, no. Those are the  
4 only three guides I received.

5 Q. Other than those three separate AMIP guides  
6 which contained the same information as what's on D-10382  
7 and D-10474, are you aware of any other AMIP plans or  
8 guides or policies?

9 A. Could you clarify that?

10 Q. Are you aware of any other documents that speak  
11 about AMIP?

12 A. Only what was provided to me at the time of  
13 when objectives were discussed or when payout was  
14 discussed.

15 Q. The only other AMIP documents would be the  
16 worksheets?

17 A. Would be the worksheets or any supporting  
18 documentation that went with them. Not in the form of a  
19 guide.

20 Q. But what supporting documentation would go with  
21 a worksheet?

22 A. They may have explained this is how we met the  
23 objectives, we met return on investment through blah,  
24 blah, blah.



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B-0903

1 Q. There might be a document that might show you  
2 return on investment?

3 A. Or they may have written a small paragraph or a  
4 few sentences describing how the corporation did on  
5 return on investment or how the group contributed to the  
6 return on investment, but not a program guide.

7 Q. And those attachments would come at the end of  
8 the fiscal year, actually after the close of the fiscal  
9 year, in connection with the calculation of the AMIP?

10 A. Correct.

11 Q. Am I correct that sometime between October and  
12 December of each fiscal year you would receive a  
13 worksheet that was uncompleted; that is, it didn't have  
14 the achievements placed in for the corporate and other  
15 goal achievements?

16 A. At some point in time during the course of the  
17 fiscal year, we would receive a worksheet or not -- we  
18 would receive a worksheet and it would explicitly say  
19 these are the financial objectives that we're working  
20 towards for the fiscal year in order to achieve your AMIP  
21 bonus.

22 Q. Can we call those preliminary worksheets?

23 A. Yes.

24 Q. In the sense that they don't have the actual



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1 achievement numbers in them.

2 A. That's correct.

3 Q. You would receive these preliminary worksheets  
4 in sometime between October and December of each year?

5 A. We would receive them somewhere during the  
6 course of the fiscal year.

7 Q. Do you know when you would receive them?

8 A. It was never a set time. We didn't receive  
9 them October 1st of every year. We received them  
10 somewhere during the course of the fiscal year with the  
11 goals and objectives that we were working toward as a  
12 corporation to achieve our bonuses.

13 Q. Those preliminary worksheets would have the  
14 corporate fiscal goals?

15 A. For the program, yes.

16 Q. As well as group goals and individual goals?

17 A. If they pertained to that fiscal year.

18 Q. Somewhere you might have had personal goals,  
19 some years you might not have --

20 A. Early years we had group goals or what I guess  
21 you're referring to as a personal goal. The later years  
22 they were purely financial.

23 Q. But if a particular year had personal goals or  
24 group goals associated with them, they would appear on



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1 that preliminary worksheet?

2 A. We would add them to the preliminary worksheet.  
3 The worksheet would come down from corporate, if you  
4 will. Our group would then determine what our group's  
5 goals were, and they may or may not be on the worksheet  
6 at the time. It would depend on whether or not we needed  
7 to add anything additional to that worksheet.

8 Q. Once they were distributed to employees, they  
9 would have all of the personal, group, and corporate  
10 goals.

11 A. Correct.

12 Q. Because these worksheets were given to  
13 employees, correct?

14 A. They were given to us so that we knew what we  
15 were working towards for -- for the current financial  
16 goals.

17 Q. By the way, are you speaking now as an employee  
18 or when you were a manager?

19 A. As an employee. I never personally managed  
20 employees on this program.

21 Q. On AMIP?

22 A. Correct.

23 Q. Is it correct that the goals changed year to  
24 year?



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1 A. The targets changed year to year. There may  
2 have been a return-on-investment goal in multiple years  
3 of an AMIP program, but the targets certainly changed  
4 year to year.

5 Q. So some years return on investment was a  
6 factor, some years was no.

7 A. Some years return on the investment, the target  
8 may have been higher or lower than previous or future  
9 years.

10 Q. But some years return on investment wasn't even  
11 a factor?

12 A. It may not have even been a factor, that's  
13 correct.

14 Q. Same with operating income, some years that  
15 might have been a factor, some years not?

16 A. That's correct.

17 Q. Or earnings per share?

18 A. That's correct.

19 Q. And even if it was a factor year to year, the  
20 target for those factors would change?

21 A. May have changed, correct.

22 Q. I'm not tying you into these numbers by any  
23 stretch of the imagination. Let's say the target for  
24 revenue was \$100 million one year. The next year it



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1 might be \$110 million.

2 A. It could be.

3 Q. I'm not trying to tie you to those numbers in  
4 any way. I'm just giving you as an example. Is that  
5 correct?

6 A. Yes. They changed the percentages on operating  
7 income or return on investment. They changed what their  
8 goals were depending upon the corporation's goals.

9 Q. In addition to changing the targets, they also  
10 changed the weightings for each of those goals, correct,  
11 how much value the company was placing on each of those  
12 goals in any one particular year towards the calculation  
13 of the AMIP?

14 A. They could have changed, as well.

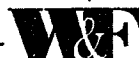
15 Q. Some years return on investment might have been  
16 worth 10 percent. Other years that might have been worth  
17 12 percent towards the AMIP bonus.

18 A. That's correct.

19 Q. The same would be true for the personal goals  
20 when they were included, that would change the  
21 weightings, as well.

22 A. That could change, as well, depending upon the  
23 types of goals that were added by your management.

24 Q. Give me some examples of different personal



1 goals or group goals over the years.

2 A. It may have been client satisfaction. Those of  
3 us that were in client-facing jobs.

4 Q. What else?

5 A. Client satisfaction is a big one. Again, those  
6 of us that are in client-facing jobs, we do several types  
7 of surveys. One is corporation-wide for our client, and  
8 that's the one that really sticks in my mind as that.

9 Q. Those targets could change, as well. Some  
10 years it might be 75 percent client satisfaction. Maybe  
11 other years it may be 82 percent client satisfaction.

12 A. It could be. I don't recall as to how they  
13 changed the particular personal goals. As I had  
14 mentioned earlier, personal goals, just like the  
15 corporation goals, may or may not have changed depending  
16 upon what the business unit was driving towards.

17 Q. The same thing would be true with group goals.

18 A. Correct.

19 Q. You were in the Chemical Group?

20 A. I was in the Chemical Group.

21 Q. You have been in the Chemical Group the whole  
22 time?

23 A. I have been in the Chemical Group the whole  
24 time. I have been on different accounts within the



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B-0909

1 Chemical Group.

2 Q. Not just DuPont?

3 A. Not just DuPont.

4 Q. Who was the head of the Chemical Group during  
5 the time that you were in the Chemical Group?

6 A. The first head of the Chemical Group was  
7 Michael Beebe.

8 Q. How about Nick --

9 A. Nick Wilkinson.

10 Q. Have you ever discussed with Mr. Wilkinson  
11 anything related to AMIP?

12 A. We had a discussion with Nick sometime early  
13 November when the program was modified for us or we were  
14 removed from the program.

15 Q. Tell me about your conversation with him. Who  
16 was there, and what was discussed?

17 A. It was the what I will call portfolio managers  
18 or application delivery managers, my peers, we had  
19 scheduled time to meet with him to better understand the  
20 reasons for the program being -- we being removed from  
21 the program.

22 The course of the discussion was more along  
23 the lines of he didn't necessarily agree with what had  
24 been done, it was corporate policy, he had done what he





1 felt he could to justify or substantiate our  
2 participation in the program, but it was a wider  
3 corporate initiative.

4 Q. Do you remember anything specific that he said?

5 A. No.

6 Q. Your best understanding is that he wasn't the  
7 one that made the decision?

8 A. Correct.

9 Q. And he wasn't the one that even informed you of  
10 the decision?

11 A. He was not the one who informed me of the  
12 decision.

13 Q. You only went to him because you thought he  
14 might be helpful to get the decision reversed?

15 A. We went to him, again, for a better  
16 understanding, clarity, and to substantiate or justify  
17 what we believed was the reason why we should still  
18 remain part of the program.

19 Q. You discussed that with him and he said he  
20 didn't necessarily agree with the decision, but there was  
21 nothing he could do about it.

22 A. That it was a corporate-wide initiative to look  
23 at the program obviously as a whole and also that he  
24 provided what substantiation or what justification that



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1 he felt was necessary or that he could provide to  
2 continue to have our involvement in the program.

3 Q. But that there was nothing he could do about  
4 it.

5 A. Correct. He had done what he could do.

6 Q. Do you remember anything else that he said?

7 A. No. Again, this is a summary of what I  
8 remember from several years back.

9 Q. This is more than two years ago.

10 A. More than two years ago.

11 Q. Because it would have been November of 2003  
12 that you met with him?

13 A. That's correct.

14 Q. Other than your attorney, have you spoken to  
15 anybody about this case?

16 A. Just immediate family around the fact that it  
17 was a compensation-related case.

18 Q. How about other plaintiffs in this case, have  
19 you spoken to --

20 A. Brian Miller and Karen Masino.

21 Q. Tell me about your conversations with them.

22 A. Just general conversations about the case.

23 Q. Tell me about your conversations. What did you  
24 discuss with them?



1 A. We discussed -- for example, we discussed how  
2 we thought the mediation went.

3 Q. What did you discuss about that?

4 A. Just that we didn't feel that we really had an  
5 opportunity to mediate with you. We had an opportunity  
6 to have the judge hear us, but we really didn't have an  
7 opportunity to have an ongoing mediation with your  
8 counsel.

9 Q. Anything else discussed?

10 A. Nothing in specific. General conversation,  
11 when's your deposition, how did your deposition go.

12 Q. Anything discussed about what they testified in  
13 their deposition about?

14 A. No. Nothing direct. Just overview of  
15 background information.

16 Q. How long did it last?

17 A. How long did it last.

18 Q. What's your Social Security number?

19 A. 117-52-6282.

20 Q. Where were you born?

21 A. Utica, New York.

22 Q. What's the date of your birth?

23 A. 8/20/1966.

24 Q. Where do you live?



1 A. Bear, Delaware.

2 Q. What's your address?

3 A. 155 Cornwell Drive.

4 Q. How long have you lived there?

5 A. I have lived there four and a half years.

6 Q. Do you rent or own?

7 A. I own.

8 Q. Does anyone live with you at your present  
9 address?

10 A. I was recently married.

11 Q. How long have you been married?

12 A. Less than a week.

13 Q. Congratulations.

14 A. Thank you.

15 Q. What's your phone number?

16 A. 302-834-5652.

17 Q. Have you ever had any prior marriages?

18 A. Yes.

19 Q. How many?

20 A. One.

21 Q. Are you divorced?

22 A. Yes.

23 Q. When did you divorce?

24 A. I divorced in 2002, November of 2002.



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1 Q. How long were you married during that marriage?

2 A. Twelve years.

3 Q. Any children through that marriage?

4 A. No.

5 Q. Have you ever been arrested?

6 A. No.

7 Q. Ever convicted of any crime, felony or  
8 misdemeanor?

9 A. No.

10 Q. Have you ever served in the military?

11 A. No.

12 Q. When did you first contact an attorney to  
13 handle your case against CSC?

14 A. It would have been in the fall of 2003.  
15 Fall/winter.

16 Q. How did you go about contacting an attorney?  
17 How did you know who to contact? Did you call them?

18 A. I did not call them. Again, Karen, Brian, and  
19 I had spoken when we heard -- we all were notified and  
20 decided to seek counsel to just, again, seek counsel to  
21 see what our options were.

22 Q. Who did that? Who sought counsel?

23 A. I don't recall if --

24 Q. It was not you?



1 A. It was not me.

2 Q. It was one of the other two?

3 A. Yes.

4 Q. Was it Tim Wilson's firm that you contacted?

5 A. Yes.

6 Q. Have any lawsuits ever been filed against you?

7 A. No.

8 Q. Have you ever filed any other lawsuits?

9 A. No.

10 Q. Have you ever been involved in any other  
11 lawsuits in any way?

12 A. No.

13 Q. Were you ever involved in a class-action case?

14 A. No.

15 Q. Have you ever declared bankruptcy?

16 A. No.

17 Q. Have you ever made a claim for unemployment  
18 benefits?

19 A. No.

20 Q. Have you ever made a claim for workers'  
21 compensation benefits?

22 A. No.

23 Q. Tell me about your educational history.

24 A. I have a Master's degree, M.B.A., which I



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1 received from the University of Delaware in '98. So I'm  
2 schooled up through a Master's.

3 Q. Where did you go to undergrad?

4 A. Utica College of Syracuse University.

5 Q. When did you graduate from there?

6 A. I graduated from there in 1988.

7 Q. With what degree?

8 A. Computer science.

9 Q. The next schooling you had was where?

10 A. University of Delaware.

11 Q. You got an M.B.A.?

12 A. Correct.

13 Q. When did you get that M.B.A.?

14 A. In May of 1998.

15 Q. Any other education or training or courses?

16 A. Miscellaneous courses that I would have taken  
17 through working prior -- when I was with DuPont and also  
18 with CSC.

19 Q. Would those be day-long courses that you would  
20 take on-site at the employer?

21 A. Could have been a day-long on-site, may have  
22 been a week-long off-site. Depended upon what type of  
23 training was required.

24 Q. How many of those courses do you estimate that



1 you have taken?

2 A. Over the course of my employment, two dozen or  
3 more.

4 Q. Really? That's a lot. Twenty-four?

5 A. When I was with DuPont, we took a whole series  
6 of technical-related classes that were anywhere from  
7 one-day to five-day classes, as well as classes  
8 surrounding, say, sexual harassment, discrimination.  
9 Again, classes that they would provide to us or allow us  
10 to take as we became supervisors and managers.

11 Q. Any other course work, training?

12 A. Such as?

13 Q. Beyond what you have just testified to.

14 A. Only job-related training. I haven't gone out  
15 and sought out schooling or training outside of my  
16 profession.

17 Q. Outside of your work.

18 A. Correct.

19 Q. Have you ever received any professional or  
20 work-related certifications?

21 A. I was certified to teach -- I'm not going to be  
22 able to remember the certification -- to teach  
23 work-related training classes like for client  
24 satisfaction or for -- there was a whole program.





1 Achieve Global might have been the name.

2 Q. When was that?

3 A. That was in 2001.

4 Q. Any other certifications?

5 A. Not that I recall, no.

6 Q. Have you ever received any awards or honors?

7 A. Through employee recognition programs.

8 Q. Such as a spot bonus?

9 A. May have been a cash reward, could have been a  
10 night on the town which was not a cash reward, could have  
11 been just a certificate saying thanks for doing a great  
12 job.

13 Q. These were while you were at DuPont?

14 A. Both DuPont and CSC.

15 Q. How many do you estimate you received at CSC?

16 A. I couldn't even -- I couldn't even hedge a  
17 guess.

18 Q. Would it be less than five?

19 A. More than five, less than ten maybe.

20 Q. These would be one-time recognition --

21 A. Yes.

22 Q. -- bonuses? Could be cash, could be a night  
23 out on the town?

24 A. Could be cash, could be monetary, could be



1 nonmonetary.

2 Q. Could be simply a certificate of sorts?

3 A. Correct.

4 Q. Or a plaque?

5 A. Certificate.

6 Q. Any other awards or honors or any other  
7 recognition that you have ever received?

8 A. Similar type of recognition while I was also a  
9 DuPont employee.

10 Q. Anything else?

11 A. No.

12 Q. By the way, when you received the notification  
13 that you were no longer eligible for AMIP in September of  
14 2003, you knew as of that point in time you would not get  
15 any AMIP bonus for fiscal year 2004?

16 A. That's what the letter read.

17 Q. That's what you understood?

18 A. That's what I understood.

19 Q. That's what happened. You did not receive any  
20 AMIP bonus for that fiscal year, correct?

21 A. We understood that the program was being  
22 retroactively removed dated back to April 1st, which was  
23 the beginning of the fiscal year.

24 Q. Just as you understood, you did not receive any



1 AMIP bonus for that fiscal year, correct?

2 A. Correct.

3 Q. Let's get this out of the way early. We have  
4 been doing this with all the witnesses. Tim and I are  
5 probably bored of it by now. But the fiscal year runs  
6 from April 1 through March 31, correct?

7 A. Correct.

8 Q. So as an example, fiscal year 2002 is April 1,  
9 2001, through March 31, 2002?

10 A. Correct.

11 Q. So you were removed from eligibility for AMIP  
12 during fiscal year 2004?

13 A. Correct.

14 Q. You were also made eligible, in connection with  
15 your removal from the AMIP program, for a discretionary  
16 bonus, correct?

17 A. That is what the letter read, correct.

18 Q. Have you ever received a discretionary bonus?

19 A. I received a discretionary bonus last year  
20 which is the first time I have ever received it.

21 Q. And the discretionary bonus was in lieu of the  
22 AMIP program, correct?

23 A. It read that we were being removed from the  
24 AMIP program but we would be eligible to earn a



1 discretionary bonus.

2 Q. It was not guaranteed, of course, the  
3 discretionary bonus?

4 A. Correct.

5 Q. That's why they call it discretionary. But you  
6 were not eligible for the discretionary bonus while you  
7 were eligible for the AMIP bonus, correct?

8 A. As I understood from what little I did because  
9 we had a very difficult time getting any information  
10 about the discretionary bonus, that the discretionary  
11 bonus could have been given to any employee at any point  
12 in time whether you were on AMIP or not.

13 Q. Do you know anybody that's ever received a  
14 discretionary bonus who was also eligible for AMIP?

15 A. I didn't know anyone that had ever received a  
16 discretionary bonus, period.

17 Q. Now you do.

18 A. But now I do. Again, once they terminated our  
19 participation in the AMIP and said that now this was  
20 another program that we were eligible for, several of us  
21 I'm sure tried to get information. I can speak for  
22 myself. I asked my own supervision for information on  
23 it.

24 Q. You had not done that previously?



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1 A. No.

2 Q. Correct?

3 A. Correct.

4 Q. Tell me about your employment history prior to  
5 coming to CSC. After college did you go to work for  
6 DuPont?

7 A. I went directly from college to DuPont.

8 Q. What positions did you hold at DuPont?

9 A. I went into -- I was an analyst for one of  
10 their financial groups in an IT function for one of their  
11 business units. Still within that same business unit I  
12 moved into -- because my background was computer science,  
13 I moved into a networking position.

14 From there DuPont started doing some  
15 consolidation of their IT-related professionals. So  
16 instead of the business unit having their own IT staff,  
17 they started consolidating us under Corporate Information  
18 Systems. So I was moved into that organization where I  
19 held several positions. Escalated support for what they  
20 now call midrange, I would have been their file servers,  
21 project management, run and maintain support.

22 From there I moved into a position with the  
23 corporate help desk or the information systems help desk  
24 as a supervisor, and I was currently in that role when we



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1 were merged -- or when CSC assumed the 2,500 employees  
2 for support at DuPont.

3 Q. During what periods of time were you with  
4 DuPont?

5 A. I was with DuPont from March of 1989 through  
6 May 31st of 1997.

7 Q. While you were at DuPont, were you ever  
8 eligible to receive any bonus compensation?

9 A. Yes. I was part of the DuPont variable  
10 compensation program.

11 Q. For how many years were you eligible for that?

12 A. I believe I came on that program in 1997.

13 Q. So the year --

14 A. It would have been for the work performed.

15 Q. For the five months?

16 A. It would have been for the work performed for  
17 1996. It was paid out in '97.

18 Q. Was DuPont's fiscal year the same as their  
19 calendar year?

20 A. Yes.

21 Q. So you received a bonus, a variable  
22 compensation bonus, at DuPont sometime in 1997, before  
23 you were transitioned over to CSC?

24 A. Right.



1 Q. For work performed from January 1, 1996,  
2 through December 31, 1996?

3 A. Correct.

4 Q. And you only received such a bonus once while  
5 you were at DuPont?

6 A. I received that bonus twice as it was prorated  
7 for the time I was with DuPont and went to CSC.

8 Q. Does that mean you received a variable  
9 compensation bonus from DuPont after you left DuPont?

10 A. That's correct.

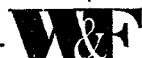
11 Q. It was prorated you said?

12 A. That's correct.

13 Q. How was the variable compensation program  
14 administered?

15 A. The variable compensation program was, again,  
16 based on the corporation's performance, and our payout  
17 was dependent upon -- had two factors of it. It was cash  
18 payout, as well as a portion that was stock-related. And  
19 depending upon your level in the organization and your --  
20 I would say your role in the organization, your variable  
21 compensation was different. So my variable compensation  
22 would have been different than, say, my manager's or vice  
23 president's or so on and so forth.

24 Q. Were there formulas that were used --



1 A. That I don't know.

2 Q. -- to calculate the annual bonus? You don't  
3 know?

4 A. That I don't know.

5 Q. For CSC there are formulas that are used to  
6 calculate AMIP.

7 A. We received a worksheet.

8 Q. That translates into a formula.

9 A. Correct.

10 Q. By the way, at CSC is it also true that the  
11 bonus is paid out after the close of the fiscal year?

12 A. That's correct. So they know what earnings or  
13 operating income or the measures we achieved.

14 Q. Against the goals?

15 A. Correct.

16 Q. You have to measure the performance against the  
17 goals to see whether or not the targets were achieved  
18 under the bonus plan?

19 A. Prior to calculating payment for your  
20 performance.

21 Q. That would take a couple of months after the  
22 close of the fiscal year to do those calculations?

23 A. It was specified in whether it be an offer  
24 letter or a program guide that typically within 45 days





1 of the close of the fiscal year.

2 Q. Is that typically how it worked?

3 A. To the best of my knowledge. I received my  
4 payouts usually in mid to end of May which would have  
5 been roughly 45 days after the close of the fiscal year.

6 Q. By the way, are you familiar with anybody at  
7 CSC who ever received a prorated AMIP bonus?

8 A. Yes.

9 Q. Who is that?

10 A. Myself when I came into the corporation. I  
11 came in on June 1st, several months after the start of  
12 the fiscal year. And Brian Miller when he was included  
13 back onto the program when he changed roles and he was  
14 prorated based on the time that he was there for that  
15 period in the fiscal year through the close of the fiscal  
16 year after his new job changed.

17 Q. Anybody else that you know that has ever  
18 received a prorated AMIP bonus?

19 A. No.

20 Q. I just want to have you explain that. For  
21 yourself you received a prorated AMIP bonus for the  
22 period of time you were at CSC during fiscal year 1998?

23 A. Correct.

24 Q. And Brian Miller, what year did he receive a



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1 prorated AMIP bonus?

2 A. I believe it was last year's. So it would be  
3 fiscal year '05 when he transitioned into a -- he  
4 transitioned into a new job, and I don't recall if it was  
5 an '05 or '04 fiscal year.

6 Q. How do you know that he received a prorated  
7 AMIP bonus?

8 A. He told me. Quite honestly, I asked him.

9 Q. Why did you ask him?

10 A. Because of what was going on.

11 Q. What specifically did you ask him?

12 A. I specifically asked him if he received --  
13 knowing what his current level was and the role that he  
14 was going into, I asked him if he was admitted back to  
15 the program and if he received a prorated bonus.

16 Q. You were hired by CSC you said in -- you  
17 started in June of '97?

18 A. Correct.

19 Q. When you started, you were given an offer  
20 letter?

21 A. Yes.

22 Q. That offer letter had language in it about  
23 AMIP?

24 A. Yes, it did.



1 Q. Were there also orientation sessions?

2 A. Yes, there were.

3 Q. Do you recall anything being said about AMIP  
4 during those orientation sessions?

5 A. I don't recall specifics. I know they  
6 discussed in our orientation sessions when CSC was  
7 working with DuPont, they were looking to make our  
8 compensation comparable to what we were receiving in  
9 DuPont in several areas.

10 So those orientation sessions covered if  
11 you were on variable compensation, you would be  
12 participating in the AMIP plan. There were several  
13 uplifts that they provided to us because the compensation  
14 wasn't exactly the same, whether it be disability  
15 insurance, healthcare, even participation in the 401(k)  
16 plan.

17 So there were several things discussed  
18 during those orientation sessions, with AMIP being geared  
19 only towards those participating in variable  
20 compensation.

21 Q. Do you remember that orientation session where  
22 AMIP was discussed?

23 A. No.

24 Q. Do you remember anything specific being



1 discussed about the AMIP program?

2 A. That those of us that were on the variable  
3 compensation program would be admitted to the CSC AMIP  
4 program which was similar to the DuPont variable  
5 compensation program in that it was an annual program, it  
6 ran for the fiscal year based on corporate objectives.  
7 That's the \$50,000 view of what I remember on that  
8 discussion.

9 Q. Were you provided any documents related to AMIP  
10 at that time?

11 A. Not that I recall, no, other than what was in  
12 our offer letter which was a very small paragraph that  
13 said the program ran concurrent with the fiscal year,  
14 April 1st through March 31st, that it was paid out at the  
15 end of the fiscal year based on, again, after the fiscal  
16 year closed out roughly 45 days after.

17 (Deposition Exhibit No. 55 was marked for  
18 identification.)

19 BY MR. SEEGULL:

20 Q. I'm now showing you what has been marked as  
21 Exhibit 55. Is this the offer letter that you received?

22 A. Yes, it is.

23 Q. This is the one we have been speaking about?

24 A. That's correct.



1 Q. What positions have you held at CSC?

2 A. As I stated earlier, when I joined CSC I was a  
3 manager at the help desk.

4 Q. You held that from June of '97 until --

5 A. I don't recall the dates.

6 Q. Approximately.

7 A. I have held several positions between June of  
8 '97 and present.

9 Q. Why don't we just go through the different  
10 positions, then. Manager of the help desk?

11 A. Supervisor of the help desk.

12 Q. First you were a supervisor?

13 A. I was just a supervisor of the help desk. I  
14 then took the position as a regional manager.

15 Q. Of what?

16 A. Desktop and telecommunication support personnel  
17 for several DuPont plant sites over CSC employees that  
18 were located at the plant. I was there for -- I could  
19 tell you I was there approximately two to three years I  
20 held the position.

21 From there I took an account management  
22 position on a different account. So I briefly left the  
23 DuPont account. Still in the Chemical Group but left the  
24 DuPont account.



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1 From there I came back to the DuPont  
2 account for a very brief period of time. I did some work  
3 on one of our government accounts just to help get them  
4 up and running and started. They needed to have several  
5 hundred employees interviewed, and after two to three  
6 months there, I went into the application environment as  
7 a portfolio manager or an application delivery manager.  
8 I held that role for several years. The organizations  
9 changed, the name changed, still the same job, but couple  
10 different titles for it.

11 From there I went into the role I'm  
12 currently in which is an account manager.

13 Q. Did you receive an AMIP bonus for every year up  
14 until fiscal year 2004?

15 A. Yes.

16 Q. How much were your AMIP bonuses each year?  
17 Range, if you don't know specifics.

18 A. My AMIP bonuses were -- I can tell you what my  
19 eligibility was for the different years.

20 Q. Okay.

21 A. I was eligible for 20 percent of my salary, my  
22 base salary, until 2000 -- until fiscal year -- up  
23 through fiscal year 2000. Fiscal year 2001 to present, I  
24 was eligible for 25 percent of my base salary.



1 Q. Why did it go up?

2 A. I took a position on a different account and  
3 that was part of the compensation package that they  
4 offered me when I took the new job.

5 (Deposition Exhibit No. 56 was marked for  
6 identification.)

7 BY MR. SEEGULL:

8 Q. I'm now showing you what's been marked  
9 Exhibit 56. These are three letters that were produced  
10 to us in discovery, and let's just do them in order.

11 A. Okay.

12 Q. Chronological order. Excuse me. And the last  
13 page is a document that's Bates numbered Miller 123 and  
14 it's a letter to you from Marianne Kane dated March 10th,  
15 2000. Do you recognize that?

16 A. Yes.

17 Q. That's the letter that's offering you a  
18 position, a reassignment, to the Chemical Group in the  
19 position of senior manager, reporting to David Lewis.  
20 Which of the positions you've just described would this  
21 be?

22 A. This is the one when I was going to when I said  
23 I left the DuPont account briefly.

24 Q. So this is the one that your AMIP goes up to



1 25 percent?

2 A. Twenty-five percent, correct.

3 Q. And then if you look at I guess that would be  
4 the first page, Miller 124, correct, is the Bates stamp?  
5 It's a letter to you from Sonia Koplowicz dated  
6 September 7th, 2001, and that was offering you a  
7 reassignment to the Chemical Group in the position of  
8 senior manager in accounting?

9 A. Yes. That was the role I held for only a  
10 six-to-eight-week period of time when I was helping out  
11 on one of our federal accounts just to get folks up and  
12 running, reporting to Debbie Krakowski.

13 Q. You signed this letter on September 7th of  
14 2001?

15 A. Correct.

16 Q. Then the next transfer which is contained  
17 within Miller 125, it's a letter from Sonia Koplowicz to  
18 you dated October 12, 2001, correct?

19 A. Correct.

20 Q. You signed that letter on October 15th, 2001?

21 A. Correct.

22 Q. That was the reassignment to the Chemical Group  
23 in the position of senior manager, accounting, reporting  
24 to Tim Cholvat?





1 A. Correct.

2 Q. What was that position?

3 A. That was the position that went into the  
4 applications group, portfolio manager/application  
5 delivery manager.

6 Q. Why were you only in the former position for  
7 one month?

8 A. When I left the Quiva account -- back on the  
9 last page where it says reporting to David Lewis, he was  
10 the account manager on the Quiva account. He made my  
11 offer to be, as you saw in here, a travel assignment.  
12 When he left the account, the new account manager came in  
13 and wanted all his account managers permanently located  
14 in Houston, Texas. And he knew that my intention was not  
15 to relocate.

16 Q. You looked for another position?

17 A. I told him I was looking for another position.  
18 He told me he would look for a position. I found an  
19 interim position working for Debbie and at the same time  
20 I also secured a position working for Tim, but being that  
21 I had already made the commitment to help out and try to  
22 get done what needed to be done on this other account, I  
23 honored that commitment for the six to eight weeks that  
24 they asked me to provide the assistance.



1 Q. You were employed as an at-will employee?

2 A. Yes.

3 Q. Meaning that you could terminate your  
4 employment at any time or CSC could terminate your  
5 employment at any time?

6 A. Yes.

7 Q. Do you know how long it took the company to  
8 determine whether to change AMIP eligibility and how to  
9 change it?

10 A. I have no idea.

11 Q. You understand that the changes that were made  
12 to AMIP were not particular to you. They were changes  
13 that were made across the board at your level.

14 A. I understand that the changes were made across  
15 the board, evaluating the various levels that were  
16 participating in the program.

17 Q. It wasn't just you that was removed?

18 A. That's correct.

19 Q. Anybody at your level that was removed.

20 A. It wasn't anyone that was at my level because  
21 there were individuals at my level that were still  
22 receiving AMIP.

23 Q. Who's that?

24 A. Bob Carden.



1 Q. How do you know he continued to receive AMIP?

2 A. He's now a higher level, but at the time that  
3 he was still continuing to receive it, he was a level 6  
4 as I am.

5 Q. How do you know he was continuing to receive  
6 AMIP?

7 A. More or less discussion amongst ourselves.

8 Q. It's a rumor?

9 A. Well, again, discussion amongst ourselves.

10 Q. What does that mean, "discussion amongst  
11 ourselves"? Who's "ourselves," the plaintiffs?

12 A. No. Portfolio managers, the application  
13 delivery managers, the ones that met with Nick Wilkinson  
14 had had some discussions about who did or did not receive  
15 letters.

16 So whether or not Mr. Carden received a  
17 letter at a later date, I'm not aware of that. I know he  
18 didn't receive a letter when we all received a letter.

19 Q. Who told you that?

20 A. Again, I don't remember exactly who told me  
21 that.

22 Q. Some other employee told you that?

23 A. Yes.

24 Q. Anybody else that you know of that continued to



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1 receive AMIP at your level?

2 A. No. That was more, again, because we were all  
3 peers at the time.

4 Q. After you were told that you were no longer  
5 eligible for AMIP, you continued to do your job, correct?

6 A. Correct.

7 Q. Is it your work ethic to do the best job you  
8 can?

9 A. Yes, it is.

10 Q. And to continue to work as hard as possible to  
11 achieve the company's goals?

12 A. Yes, it is.

13 Q. How were you first notified that you were no  
14 longer eligible for AMIP? Was it via e-mail? Was it via  
15 the letter on September 11th?

16 A. We had heard rumors that this was going to  
17 occur in early September, so, again, the group of us that  
18 worked doing similar jobs, the portfolio managers, got  
19 together collectively and drafted a note to our current  
20 supervisor which was Robert Tattle.

21 Q. That was before you had been told you were  
22 definitely being removed?

23 A. That was before any formal notification. That  
24 was before I met with my supervisor at the end



1 of September.

2 Q. There had been rumors that the company was  
3 considering removing you from AMIP?

4 A. There was rumors that the company was  
5 considering changing or modifying the program.

6 Q. And modifying it in such a way to remove people  
7 from AMIP?

8 A. Again, we didn't know how we would be affected.  
9 We assumed, hearing the rumors, we were the ones being  
10 affected.

11 Q. Was this a big topic of conversation in the  
12 workplace?

13 A. I wouldn't say it was a big topic. It was a  
14 let's get together and draft a letter and present our  
15 case so that we feel that we have done what we can to, I  
16 guess you could say, protect our interests in the  
17 program. But I wouldn't say it was a big topic in the  
18 workplace, no.

19 Q. You sent that e-mail to whom?

20 A. To Robert Tattle.

21 Q. And then Mr. Tattle responded?

22 A. Yes, he did.

23 Q. Do you remember what his response was?

24 A. I don't recall his response off the top of my



1 head.

2 Q. I understand you don't remember the verbatim.  
3 Do you remember generally what his response was? First  
4 of all, did you ever receive a response only in writing?

5 A. We received a response from him in writing.  
6 It's my recollection that he was sympathetic to our  
7 cause, supported where we were coming from, and passed on  
8 our feedback to his leadership. But to the exact content  
9 of the e-mail, I don't recall.

10 Q. This was an e-mail that was sent by the  
11 portfolio managers?

12 A. That's correct.

13 Q. And Mr. Tattle responded by saying he  
14 understood your concerns and he would pass it on.

15 A. Yes.

16 Q. Words to that effect.

17 A. To that effect.

18 Q. I'm going to show you what's been marked as  
19 Exhibit 16. Tell me if that's the e-mail that you sent  
20 along with the response that you received.

21 A. Yes, it's both the e-mail that we sent, as well  
22 as Bob Tattle's response to us.

23 Q. You did not have a verbal response from him,  
24 correct?



1 A. Not that I recall.

2 Q. After sending this e-mail and receiving a  
3 response, did you then receive written confirmation that,  
4 in fact, you were removed from AMIP?

5 A. We received a request to meet with Bob  
6 regarding the AMIP program.

7 Q. And Bob who?

8 A. Tattle.

9 Q. That was via e-mail that you received that  
10 request?

11 A. We received it via e-mail from his admin.  
12 requesting that we make ourselves available to meet with  
13 him, and it was at that point in time -- and I met with  
14 him the end of September. It was at that point in time  
15 that I was given the letter saying I was being removed  
16 from the program.

17 Q. Did he tell you anything at that point in time  
18 or did he just hand you the letter?

19 A. I don't recall exactly what we discussed. We  
20 may have discussed some of what was already in the e-mail  
21 because, again, we sent him that e-mail prior to us  
22 receiving the letter.

23 Q. But you don't remember what was discussed?

24 A. No, I don't.



1 Q. After receiving the letter notifying you that  
2 you were no longer eligible, did you have any  
3 conversations with anybody else about the changes made to  
4 the AMIP program?

5 A. We then followed up -- we received the letter  
6 from Bob. We then followed that up with a meeting with  
7 Nick Wilkinson.

8 Q. That's the conversation we already talked  
9 about?

10 A. Yes.

11 Q. Other than that, were there any other  
12 conversations with anybody about changes to the AMIP  
13 program?

14 A. Not that I recall.

15 (Deposition Exhibit No. 57 was marked for  
16 identification.)

17 BY MR. SEEGULL:

18 Q. I'm now showing you what's been marked as  
19 Exhibit 57. Is this the letter that you received from  
20 Bob Tattle?

21 A. Yes, it is.

22 Q. This is the one that tells you that you're no  
23 longer eligible for AMIP for fiscal year 2004?

24 A. Yes.





1 Q. You received this on or about September 11th?

2 A. No. I received it at the end of September.

3 Q. Other employees had already received it by the  
4 time you received it?

5 A. That I don't know. The group of people that I  
6 worked with, we were scheduled for meetings with Bob at  
7 the end of September to discuss the AMIP program and  
8 that's when we received our letter.

9 Q. Was it a group meeting?

10 A. Individual. But the request for a meeting went  
11 out individually with here are a bunch of time slots,  
12 please make yourself available.

13 Q. You signed this on October 3rd, 2003?

14 A. That's correct.

15 Q. Is that your handwriting above your signature?

16 A. Yes, it is.

17 Q. Can you just read for me what you wrote?

18 A. "Signing of this document" --

19 Q. You're going to have to read slowly so she can  
20 take it down.

21 A. "Signing of this document does not constitute  
22 acceptance or agreement with the change in the signer's  
23 total compensation package. It solely acknowledges  
24 receipt of this document. Signature also assumes current



1 year objectives and KRAs will be set accordingly to  
2 reflect the signer's resized total compensation package.  
3 In addition, it is requested that written criteria be  
4 forwarded to the signer for both the AMIP program and for  
5 the new discretionary bonus program so that future  
6 eligibility for either program is clearly understood."

7 Q. What is following that?

8 A. My initials. I initialed that.

9 Q. You understood there was no guarantee that you  
10 would continue to receive AMIP, correct?

11 MR. WILSON: Object to the form.

12 A. Correct.

13 Q. You understood that CSC has the right to make  
14 business decisions as to how to save money?

15 A. Correct.

16 Q. And that it can use its own business judgment  
17 about the proper ways to make those decisions?

18 A. Correct.

19 Q. You never received a worksheet in fiscal year  
20 2004, correct?

21 A. Correct.

22 Q. What are your damages in this case?

23 A. The damages that I calculated were \$10,510.

24 Q. How do you arrive at that?



1           A.       I looked at the AMIP bonuses that I received  
2 over the previous six years based on what my eligibility  
3 was versus what the percentage payout was, I took an  
4 average of that to come up with an average of  
5 approximately a 92 percent payout, applied that to my  
6 currently salary at the time, which was \$91,199, and  
7 prorated it six months.

8                       (Deposition Exhibit No. 58 was marked for  
9 identification.)

10 BY MR. SEEGULL:

11           Q.       I'm now showing you what's been marked as  
12 Exhibit 58, and do you recognize this?

13           A.       Yes, I do.

14           Q.       What is it?

15           A.       It is the calculation that I used to calculate  
16 what I believe was my potential eligibility for 2004  
17 prorated over six months.

18           Q.       The first line I understand is your annualized  
19 salary for 2004. What is the next line down? What's the  
20 25 percent?

21           A.       That's my eligibility.

22           Q.       So you took 25 percent times your annual salary  
23 to get the \$22,800?

24           A.       That would have been the potential payout if



1 all objectives were achieved and payout would have been  
2 at the 25 percent.

3 Q. So if I understand you correctly, what you're  
4 saying is you took the \$22,800 and said what's been the  
5 average payout against the maximum payout over the past  
6 six years?

7 A. Correct.

8 Q. And that average payout was 92 percent. You  
9 multiplied the 92 percent by the \$22,800?

10 A. Correct.

11 Q. Came up with \$21,021.41?

12 A. Correct.

13 Q. Then you said I'm not entitled to all of that,  
14 I'm only entitled to half of that for the April 1, 2003,  
15 through the end of September of 2003.

16 A. Again, this is what I considered to be my loss  
17 over the six-month proration. Not to include any other  
18 additional legal allowances that may be allotted with  
19 this case.

20 Q. These are your damages?

21 A. Correct.

22 Q. The reason you have to estimate this is because  
23 you didn't have a worksheet for fiscal year 2004,  
24 correct?

